

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5889 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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LAXMAN MALDE

Versus

DIRECTOR OF NAGARPALIKA

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Appearance:

MR MAYANK VORA for Petitioners

None present for Respondents

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 13/02/98

ORAL JUDGEMENT

Heard the learned counsel for the petitioners.

2. The petitioner No.1 is serving as a "Mali" whereas the petitioners No.2, 3 and 4 are serving as "Tedagar" in the Mangrol Nagar Panchayat, filed this special civil application and prayer has been made for direction to the respondent No.2 to pay the arrears of the minimum wages.

3. This arrears has been claimed by the petitioners on the basis of the resolution of the respondent No.2, which has been referred in the special civil application. The petitioners further stated that from time to time, the Collector, Junagadh, has also ordered to the respondent No.2 to give the arrears of the minimum wages to the petitioners but still the respondent No.2 has not complied with those directions.

4. The respondents have not filed any reply to the special civil application, and as such, the averments made by the petitioners therein stand uncontroverted.

5. However, the interest of justice will be met in case this special civil application is disposed of with the direction to the respondent No.2 to decide the claim of the petitioners regarding the payment of arrears of minimum wages as claimed by them in this special civil application within a period of two months from the date of receipt of the writ of this order. In case the claim of the petitioners is accepted then the arrears of minimum wages should be paid to the petitioners within two months next. However, in case the claim of the petitioners are not acceptable then a reasoned order may be passed and copy of the same may be sent to the petitioners by registered post A.D.. In case of difficulty, liberty is granted to the petitioners for revival of this special civil application. The special civil application and rule stand disposed of in the aforesaid terms with no order as to costs.